

City of San Diego

CONTRACTOR'S NAME: _____

ADDRESS: _____

TELEPHONE NO.: _____ FAX NO.: _____

CITY CONTACT: Contract Specialist, Email: _____

Phone No. (619) 533-34XX, Fax No. (619) 533-3633

PM/SE/CPC

REQUEST FOR QUALIFICATIONS DOCUMENTS

(Step 1 of 2)

(DRAFT)



FOR

[PROJECT TITLE]

RFQ NO.: _____

SAP NO. (WBS/IO/CC): _____

CLIENT DEPARTMENT: _____

COUNCIL DISTRICT: _____

PROJECT TYPE: _____

THIS PROJECT IS SUBJECT TO THE FOLLOWING:

- PHASED-FUNDING
- THE CITY'S SUBCONTRACTING PARTICIPATION REQUIREMENTS FOR SLBE PROGRAM.
- FEDERAL EQUAL OPPORTUNITY CONTRACTING REQUIREMENTS.
- PREVAILING WAGE RATES: STATE ☐ FEDERAL ☐

➤ APPRENTICESHIP

➤ THIS IS A [insert name of the agency] FUNDED CONTRACT THROUGH THE DEPARTMENT OF [insert name of the department].

STATEMENT OF QUALIFICATIONS (SOQ) DUE:

12:00 NOON

CPC: [INSERT DUE DATE FOR SOQS]

CITY OF SAN DIEGO

PUBLIC WORKS CONTRACTS

1010 SECOND AVENUE, 14th FLOOR, MS 614C

SAN DIEGO, CA 92101

ATTN: CONTRACT SPECIALIST

REQUEST FOR QUALIFICATIONS

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1. INTRODUCTION

- 1.1 PURPOSE:** The City of San Diego (City) is requesting Statements of Qualifications (SOQ) for Design-Build services for the [Title of Project] (Project). This Request for Qualifications (RFQ) is the first step in the City of San Diego's (City) procurement process for the selection of a qualified Design-Builder for the Project. The City will not reimburse Design-Builders for costs incurred in the preparation, submittal and participation in the RFQ process. This RFQ does not commit the City to award a contract, or to procure or contract for work.
- 1.2 SUMMARY OF WORK:** The City is seeking to acquire Design-Build services for a Design-Build project to [ADD SYNOPSIS HERE]. Work and Services required of the Design-Builder will include design, construction, and startup of the Project. The Design-Builder shall provide all management, supervision, labor, services, temporary facility, equipment, tools, supplies, and any other item needed to complete the design, construction, and start-up of the Project as described in Attachment A.
- 1.3 FORMAT RECEIPT AND OPENING OF SOQS:** SOQs will be received in electronic format (eBids) EXCLUSIVELY at the City of San Diego's electronic bidding (eBidding) site, at: <http://www.sandiego.gov/cip/bidopps/index.shtml> and are due by the date, and time shown on the cover of this solicitation.
- 1.4 SUBMITTERS MUST BE PRE-REGISTERED** with the City's bidding system and possess a system-assigned Digital ID in order to submit an electronic proposal.
- 1.5** The City's bidding system will automatically track information submitted to the site including IP addresses, browsers being used and the URLs from which information was submitted. In addition, the City's bidding system will keep a history of every login instance including the time of login, and other information about the user's computer configuration such as the operating system, browser type, version, and more. Because of these security features, Contractors who disable their browsers' cookies will not be able to log in and use the City's bidding system.
- 1.6** Upon entry of their SOQ, the system will ensure that all required fields are entered. **The system will not accept an SOQ for which any required information is missing.** This includes all necessary pricing, subcontractor listing(s) and any other essential documentation and supporting materials and forms requested or contained in these solicitation documents.
- 1.7 SOQS REMAIN SEALED UNTIL DUE DATE AND TIME.** Electronic submissions are transmitted into the City's bidding system via hypertext transfer protocol secure (https) mechanism using SSL 128-256 bit security certificates issued from Verisign/Thawte which encrypts data being transferred from client to server. SOQs submitted prior to the Due Date and Time are not available for review by anyone other than the submitter, who will have until the Due Date and Time to change, rescind or retrieve its proposal should they desire to do so.

- 1.8 SOQs MUST BE SUBMITTED BY DUE DATE AND TIME.** Once the deadline is reached, no further submissions are accepted into the system. Once the Due Date and Time has passed, bidders, proposers, the general public, and City staff are able to immediately see the results on line. City staff may then begin reviewing the submissions for responsiveness, Equal Opportunity Contracting Program (EOCP) compliance and other issues.
- 1.9 RECAPITULATION OF THE WORK.** SOQs shall not contain any recapitulation of the Work. Conditional SOQs may be rejected as being non-responsive. Alternative SOQs will not be considered unless called for.
- 1.10 SOQs MAY BE WITHDRAWN** by the Submitter prior to, but not after, the time set as Due Date and Time.
- 1.10.1 Important Note:** Submission of the electronic SOQ into the system may not be instantaneous. Due to the speed and capabilities of the user's internet service provider (ISP), bandwidth, computer hardware and other variables, it may take time for the proposer's submission to upload and be received by the City's eBidding system. It is the proposer's sole responsibility to ensure their SOQs are received on time by the City's eBidding system. The City of San Diego is not responsible for SOQs that do not arrive by the required date and time.
- 1.11 ACCESSIBILITY AND AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE:** To request a copy of this solicitation in an alternative format, contact the Public Works Contract Specialist listed on the cover of this solicitation at least five (5) working days prior to the due date to ensure availability.
- 1.12 ELECTRONIC SUBMISSIONS CARRY FULL FORCE AND EFFECT**
- 1.12.1** The submitter, by submitting its electronic SOQ, acknowledges that doing so carries the same force and full legal effect as a paper submission with a longhand (wet) signature.
- 1.12.2** The submitter, by submitting their electronic SOQ, agrees to and certifies under penalty of perjury under the laws of the State of California, that the certification, forms and affidavits submitted as part of this SOQ are true and correct.
- 1.13 CONTRACTOR REGISTRATION AND ELECTRONIC REPORTING SYSTEM:**
- 1.13.1 Prior** to the Award of a Contract or Task Order, you and your Subcontractors and Suppliers must register with the City's web-based vendor registration and bid management system. For additional information go to:

<http://www.sandiego.gov/purchasing/bids-contracts/vendorreg.shtml>

1.13.2 The City may not award a contract until registration of all subcontractors and suppliers is complete. In the event this requirement is not met within the time frame specified in the Notice of Intent to Award letter, the City reserves the right to rescind the Notice of Award / Intent to Award and to make the award to the next responsive and responsible bidder

1.14 SOQs ARE PUBLIC RECORD: Upon receipt by the City, SOQs shall become public records subject to public disclosure. It is the responsibility of the respondent to clearly identify any confidential, proprietary, trade secret or otherwise legally privileged information contained within the SOQ. General references to sections of the California Public Records Act (PRA) will not suffice. If the Design-Builder does not provide supply applicable case law that clearly establishes that the requested information is exempt from the disclosure requirements of the PRA, the City shall be free to release the information when required in accordance with the PRA, pursuant to any other applicable law, or by order of any court or government agency, and the Design-Builder will hold the City harmless for release of this information.

1.15 PUBLIC DISCLOSURE: Selection announcements, contract awards, and all data provided by the City shall be protected from public disclosure. Design-Builder's desiring to release information to the public, shall receive prior written approval from the City.

1.16 CONFLICT OF INTEREST: Any architectural firms, engineering firms, specialty consultants, or individuals previously retained by the City to assist in drafting the Project's preliminary design, General Development Plan or Drawings shall not be eligible to participate in the competition with any Design-Build Entity without the prior written consent of City. Any architectural firms, engineering firms, specialty consultants, or individuals retained by the City to assist in drafting any Reference Documents or other document that was not prepared specifically for this contract, are considered to be eligible to participate.

2. EQUAL OPPORTUNITY CONTRACTING PROGRAM (EOCP) PROVISIONS

2.1 The City is dedicated to the principles of equal opportunity in the workplace and in subcontracting. It is the City's expectation that firms doing business with the City have and are able to demonstrate the same level of commitment.

2.2 The Design-Builders are encouraged to take positive steps to diversify and expand their Subcontractor solicitation base and to offer subcontracting opportunities to all eligible Subcontractors. The Design-Builder shall comply with requirements of San Diego Municipal Code §§ 22.2701 through 22.2708, Equal Employment Opportunity Outreach Program (EEO Program).

2.2.1 Following the award of the Contract, the Design-Builder will be required to use the City's web-based contract compliance application for EOCP reporting purposes e.g., Weekly Certified Payroll, Monthly Employment Utilization, and Monthly Payments. Online tutorials are available at:

2.2.2 The City may retain progress payments if:

2.2.2.1 The non-registered Design-Builder, Subcontractors, or Suppliers fail to register,

2.2.2.2 EOCP reporting is delinquent or inadequate, or

2.2.2.3 Underpayment has occurred.

2.3 For additional Equal Opportunity Contracting Program requirements, see Attachment E.

3. ESTIMATED PROJECT COST: The estimated cost for this project is \$ ____.

4. PROJECT DESCRIPTION: See Attachment A.

5. PROJECT SCHEDULE

5.1 The following milestones are provided for reference only. All dates are tentative and are subject to change.

5.1.1 Advertise and Issue RFQ _____, 2014

5.1.2 Pre-submittal Meeting _____, 2014

5.1.3 Pre-Submittal Site Visit _____, 2014

5.1.4 SOQ due date _____, 2014

5.1.5 Shortlist Finalists _____, 2014

5.1.6 Issue RFP to Shortlist _____, 2014

5.1.7 Pre-proposal Meeting _____, 2014

5.1.8 Proposal Due Date _____, 2014

5.1.9 Interviews _____, 2014

5.1.10 Selection and Notification _____, 2014

5.1.11 Receipt of Bonds and Insurance Certifications _____, 2014

5.1.12 Notice to Proceed _____, 2014

6. PREQUALIFICATION OF CONTRACTORS

6.1 GENERAL

6.1.1 Design-Builders interested in participating on this project must, at the time of SOQ submittal, be pre-qualified at level equal to or greater than the Engineer's Estimate for the project.

6.1.1.1 All Design-Builder applicants must submit a complete prequalification application online to the Public Works Contracts, Prequalification Program no later than 2 weeks prior to the SOQ due date and time. Complete information and links to the online prequalification application are available at:

<http://www.sandiego.gov/cip/bidopps/prequalification.shtml>

6.1.1.2 Due to the City's responsibility to protect the confidentiality of the contractors' information, City staff will not be able to provide information regarding contractors' prequalification status over the telephone. Contractors may access real-time information about their prequalification status via their vendor profile on PlanetBids™.

6.1.2 The City desires to receive SOQs only from qualified and experienced Design-Builders who demonstrate significant knowledge of Design-Build construction projects, extensive experience and successful performance on public works infrastructure projects of comparable size and scope.

7. NOMINATING AND SELECTION PROCESS

7.1 This Design-Build Program's Nominating and Selection Process is based on the policies, procedures, and guidelines set in the San Diego Municipal Code §§ 22.3301 through 22.3309. A two-step nominating and selection process has been established as follows:

7.2 STEP 1: RFQ

7.2.1 A Nominating Panel (Panel) is established and includes representatives from the City. The Panel may also include other interested parties such as additional participating agencies, representative from the community and other appropriate agencies.

7.2.2 After the City receives the SOQs, the Panel will review the qualifications based on the established evaluation criteria set forth in Attachment C of this RFQ.

7.2.3 The Panel will recommend to the Public Works Director (Director) or designee the short-listing of no more than 5 of the most highly qualified Design-Builders and, upon approval, only those firms will be allowed to participate in the Request for Proposal (RFP) process.

7.2.4 The Director or designee shall have the sole discretion to ratify the short-list submitted by the Panel.

7.3 STEP 2: RFP

7.3.1 Following the Director's approval of the recommended short-listed Design-Builders, the City will issue an RFP to the short-listed Design-Builders. **USE FOR AS-NEEDED CONTRACTS:** The short list of Design Builders shall be in effect for a period of up to three (3) years from the date the Shortlist Finalists are formally notified. The City reserves the right to request additional RFPs from the short list for the entire duration of the As-Needed Contract.

7.3.2 The Panel will then review the Proposals received and may interview each Design-Builder. The Panel will rank the Proposals based on the criteria in San Diego Municipal Code section 22.3308 and the criteria set forth in the RFP.

7.3.3 The Panel will forward its ranked listing to the Director or designee with a recommendation to award to the highest ranking proposal. The Mayor or designee has final authority for selection.

8. PRE-SUBMITTAL ACTIVITIES

8.1 SUBMISSION OF QUESTIONS

8.1.1 The Director (or Designee) of Public Works Department is the officer responsible for responding to questions and opening, examining, and evaluating the SOQs submitted to the City for the acquisition, construction, and completion of any public improvement except when otherwise set forth in these documents. All questions related to this solicitation shall be submitted to:

Public Works Contracts
1010 Second Avenue, 14th Floor
San Diego, California, 92101
Attention: Contract Specialist listed on the front cover of this RFQ.

Or:

To the email address of the Contract Specialist listed on the front cover of this RFQ.

- 8.1.2 Questions received less than 14 Days prior to the Statement of Qualifications due date may not be considered.
- 8.1.3 Clarifications or clarifications deemed by the City to be material shall be answered via issuance of an addendum and posted to the City's online bidding service.
- 8.1.4 Only questions answered by formal written addenda shall be binding. Oral and other interpretations or clarifications shall be without legal effect. It is the Design-Builder's responsibility to be informed of any Addenda that have been issued and to include all such information in its Bid.

8.2 PRE-SUBMITTAL MEETING

- 8.2.1 **Pre-Submittal Meeting:** Design-Builders wishing to submit an SOQ are encouraged OR required to attend the Pre-Submittal Meeting. The purpose of the meeting is to discuss the scope of the Project, submittal requirements, the pre-qualification process and any Equal Opportunity Contracting Program requirements and reporting procedures. To request a sign language or oral interpreter for this visit, call the Public Works Contracts Division at (619) 533-3450 at least 5 Working Days prior to the meeting to ensure availability. Failure to attend the Mandatory Pre-Submittal Meeting may result in the Design-Builder's SOQ being deemed non-responsive. The Pre-Submittal meeting is scheduled as follows:

Date:

Time:

Location:

Attendance at the Pre-Submittal Meeting will be evidenced by the Design-Builder's representative's signature on the attendance roster. It is the responsibility of the Design-Builder's representative to complete and sign the attendance roster.

Design-Builders may not be admitted after the specified start time of the mandatory pre-submittal meeting.

- 8.2.2 To request a copy of the agenda in an alternative format, or to request a sign language or oral interpreter for this meeting, call the Public Works Contracts Division at (619) 533-3450 at least 5 Working Days prior to the Pre-Submittal Meeting to ensure availability.
- 8.2.3 **Pre-Submittal Site Visit:** Design-Builders wishing to submit an SOQ are encouraged OR required to visit the Work Site with the Engineer. The purpose of the Site visit is to acquaint Design-Builders with the Site conditions. To request a sign language or oral interpreter for this visit, call the Public Works Contracts Division at (619) 533-3450 at least 5 Working

Days prior to the meeting to ensure availability. A Pre-Submittal Site Visit is scheduled as follows:

Time:

Date:

Location:

- 8.3 **REVISION TO THE RFQ:** Any changes to the Contract Documents through addendum are made effective as though originally issued with the solicitation. The Design-Builders shall acknowledge the receipt of any Addenda at the time of SOQ submission.

9. **ADDITIONAL TERMS AND CONDITIONS**

- 9.1 **CITY'S RIGHT TO CANCEL:** City reserves the right to cancel, in part or in its entirety, this RFQ including but not limited to: selection schedule, submittal date, and submittal requirements. If the City cancels or revises the RFQ, all potential Design-Builders will be notified in writing by the City.
- 9.2 **INTERVIEWS:** The City reserves the right to interview and request additional information and clarifications from any responders to RFQ.
- 9.3 **ALLOCATION OF RISK:**
- 9.3.1 The selected Design-Builder shall indemnify and hold harmless the City for claims, suits, losses or damages arising out of the negligent acts, errors, or omissions of the Design-Builder, Subcontractors, or Subcontractors attributable to the design effort.
- 9.3.2 This RFQ contains a preliminary risk matrix for the project, which summarizes the anticipated allocation of risk between the City and the selected firm. This preliminary risk matrix is not intended to describe all anticipated risk for the Project. As Project activities progress, the risk allocation may be expanded and revised as necessary to ensure the most efficient allocation of risk between the City and the Design-Builder.
- 9.4 **PRE-DESIGN AND DESIGN REPORTS:** The Design Builder's proposal shall ultimately serve as the Pre-Design Report. If there is a change in design from what was originally submitted as the Design Builder's Proposal, a Design Report shall be required.
- 9.5 **PREVAILING WAGE RATES:** Prevailing wage rates will apply to this contract.

ATTACHMENTS